

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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MARK J. PATNOD,  
Petitioner,

v.

DAVID NOLAN,  
Respondent.

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Civil Action No. 04-10865-GAO

**MOTION TO ENLARGE THE TIME  
FOR FILING A MEMORANDUM OF LAW**

The respondent in the above-captioned petition for writ of habeas corpus respectfully moves this Court to enlarge the time for filing a memorandum of law in opposition to the petition to November 6, 2006.

As grounds therefor the respondent's counsel states that she has been researching and drafting the memorandum but has been interrupted by other deadlines including an oral argument in the Massachusetts Appeals Court and filing an opposition to a petition for writ of mandamus in the Supreme Judicial Court. Additional time is needed to complete the memorandum.

In addition the petitioner's counsel as assented to the extension.

WHEREFOR the respondent respectfully moves this Court to enlarge the time for filing a memorandum of law in opposition to the petition to November 6, 2006.

Respectfully submitted,

THOMAS F. REILLY  
ATTORNEY GENERAL  
/s/ Annette C. Benedetto  
Annette C. Benedetto  
Assistant Attorney General

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**CERTIFICATE OF CONSULTATION**

**I, Annette C. Benedetto, Assistant Attorney General, hereby certify that the petitioner's counsel has assented to the enlargement. See Rule 7.1(A)(1) of the Local Rules of the United States District Court of the District of Massachusetts.**

**/s/ Annette C. Benedetto  
Annette C. Benedetto  
Assistant Attorney General**

**CERTIFICATE OF SERVICE**

**I hereby certify that this document filed through the Electronic Case Filing system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on the date set forth below.**

**Dated: October 20, 2006**

**/ s/ Annette C. Benedetto  
Annette C. Benedetto**